

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SCANSOFT, INC.)	
)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 04-10353-PBS
)	
)	
VOICE SIGNAL TECHNOLOGIES, INC.,)	
LAURENCE S. GILLICK, ROBERT S.)	
ROTH, JONATHAN P. YAMRON, and)	
MANFRED G. GRABHERR)	
)	
Defendants.)	

**DEFENDANT MANFRED G. GRABHERR’S
LOCAL RULE 56.1 STATEMENT OF
UNCONTROVERTED MATERIAL FACTS**

Defendant Manfred G. Grabherr (“Defendant”), pursuant to Local Rule 56.1, submits this statement of uncontroverted material facts in support of his Motion for Summary Judgment dismissing Plaintiff’s Amended Complaint with respect to him.

1. Defendant is a former employee of Lernout & Hauspie Speech Products N.V. (“L&H”). He left L&H and joined Iconverse.com in 2000. Thereafter, Defendant left Iconverse.com, and joined Voice Signal Technologies, Inc. ScanSoft, Inc. (“ScanSoft”) Compl. ¶¶ 55-56; Grabherr Aff.¹ ¶ 2.

2. Defendant was never employed by Dragon Systems, Inc. Grabherr Aff. ¶ 3.

3. Defendant was never given access to the development documents relating to, or the source code for, the product known as Dragon Naturally Speaking. Grabherr Aff. ¶ 3.

¹ A copy of the Affidavit of Manfred Grabherr, which was filed with this Court on April 13, 2005, is attached hereto as Exhibit A.

4. Defendant never performed any work related to Dragon Naturally Speaking.
Grabherr Aff. ¶ 3.

Respectfully submitted,

LAURENCE S. GILICK, ROBERT S. ROTH,
JONATHAN P. YAMRON, MANFRED G.
GRABHERR and VOICE SIGNAL
TECHNOLOGIES, INC.

By their attorneys,

/s/ Paul D. Popeo

Robert S. Frank, Jr. (BBO No. 177240)
Sarah Chapin Columbia (BBO No. 550155)
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CHOATE, HALL & STEWART
Exchange Place
53 State Street
Boston, MA 02109
(617) 248-5000

Dated: May 3, 2005

Exhibit A

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SCANSOFT, INC.,

Plaintiff,

V.

C.A. No. 04-10353-PBS

VOICE SIGNAL TECHNOLOGIES, INC.,
LAURENCE S. GILLICK, ROBERT S.
ROTH, JONATHAN P. YAMRON, and
MANFRED G. GRABHERR,

Defendants.

AFFIDAVIT OF MANFRED G. GRABHERR

I, Manfred G. Grabherr, on oath, depose and say as follows:

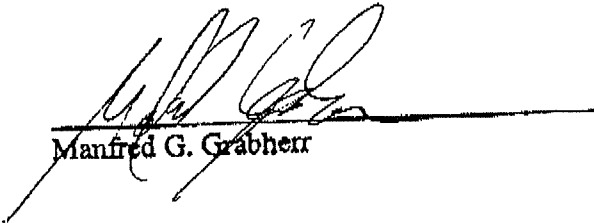
1. I currently am employed by the Broad Institute of Massachusetts Institute of Technology as a computational biologist. I was formerly employed by Voice Signal Technologies, Inc. (“Voice Signal”), and I am a defendant in the above captioned lawsuit. I make this affidavit in connection with Voice Signal Technology Inc.’s Memorandum in Support of its Objections to the Magistrate Judge’s Order Regarding Trade Secrets.

2. I joined Voice Signal as an employee on or about October, 2000. Prior to joining Voice Signal, I was employed by Iconverse.com. Before my employment with Iconverse.com, I was employed by Learnout & Hauspie Speech Products, N.V. (“L&H”).

3. I never worked for Dragon Systems, Inc. During my employment at L&H, I was never given access to the source code or development documents for a product known as Dragon Naturally Speaking, nor did I perform any work related to that product. I have no idea whether

there are trade secrets in the Dragon Naturally Speaking source code, and if there are, what they are.

Signed under the pains and penalties of perjury this 12 day of April, 2005.



Manfred G. Grabherr